

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Wen-Tsan Ko :
Serial No. : 10/632,898 : Art Unit #3644
Filed : 4 August 2003 : Examiner:
Title : PLANTS GROWING DEVICE : S. C. Alimenti

RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1350

RECEIVED

APR 12 2004

GROUP 3600

Sir:

Responsive to the outstanding Official Action dated 18 March 2004, the
following response is hereby provided:

Remarks begin on page 2 of this paper.

REMARKS

This case has been carefully reviewed and analyzed in view of the Official Action dated 18 March 2004. Responsive to the restriction requirement made in the Official Action, the Applicant has made an election of Species 1 as required under 35 U.S.C. § 121.

In the Official Action, the Examiner stated that the application included 11 distinct species of the claimed invention and required election of a single disclosed species, 1 of 2 subspecies and further election of 1 of 2 further subspecies.

Accordingly, Applicant has elected Species 1 shown in Fig. 1, subspecies A, where the seed fixing film is a dissolvable type, and further subspecies a, where the plants growing device is pressed to form a band so as to be bound as a roll for storage, as shown in Figs. 12A and 13A. Applicant believes that Claim 1 is readable on the elected Species/Subspecies combination.

It is now believed that the subject Patent Application has been placed in condition for substantive examination, and such action is respectfully requested.

Respectfully submitted,
FOR: ROSENBERG, KLEIN & LEE



David I. Klein
Registration No. 33,253

Dated: 8 April 2004

Suite 101
3458 Ellicott Center Drive
Ellicott City, MD 21043
Tel: 410-465-6678



04586

PATENT TRADEMARK OFFICE